

Physical Intervention Policy

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Signed

Chairman of Governors

Date

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PHYSICAL INTERVENTION - Our Positive Handling Policy

Policy Statement

Staff at The Gateway School are trained to look after the pupils in their care. Staff have a duty of care to intervene and when necessary use reasonable force in order to prevent pupils from hurting themselves or others, or to prevent the committing of a criminal offence. There may also be situations in which a student seriously disrupts learning in the school or by action put themselves in harms way. If a member of staff ever needs to intervene physically they will follow this, the school's Positive Handling Policy. Any parents wishing to view this policy may do so on request.

Introduction

The term 'Positive Handling' includes a wide range of supportive strategies for managing challenging behaviour, ranging from low level responses such as "Prompts, and Guides" where a simple physical prompt or a guide to aid in a change of direction can be used, "Escorts" where a pupil can be escorted with one or two members of staff by being walked to a different location in order to defuse or de-escalate a situation. Included in this framework are a small number of responses which may involve the use of reasonable force to control or restrain a pupil. The term 'physical restraint' is used when reasonable force is used to hold back physically or to bring a pupil under control. These are referred to as 'Restrictive Physical Interventions' ("Team Teach circa 2019", "ADCS 2009") in other DFE and HM Government documents these are referred to simply as "Restraint" ("Reducing the Need for Restraint and Restrictive Intervention 2019", "Use of Reasonable Force 2013"). A clear and consistent positive handling policy supports pupils who have social, emotional and mental health difficulties within an ethos of mutual respect, care and safety. This works alongside our own Behaviour Management policy and with consideration given to individual behaviour/learning plans, coping strategies and individual positive handling plans (if required).

Pupils with severe behavioural difficulties sometimes present a risk to themselves and others. Section 550A of the Education Act 1996 and the Use of Reasonable Force Guidance 2013 describe the circumstances in which school staff may use reasonable force to control or restrain pupils. Examples of when such action may be reasonable are to prevent injury to people, damage to property criminal acts or the breakdown of discipline.

This policy details how we implement the guidance in this school. It should be considered alongside the most recent LA policy statements and recent local and national guidance. It is designed to help staff to ensure that any actions they take are reasonable, proportionate and absolutely necessary.

Objectives

The sole aim of the school is to work for the maximum success of each individual and to promote teaching and learning. Through the use of positive handling techniques as one of a range of strategies to promote learning and positive behaviour, we hope our students will learn to manage their feelings safely and in ways which will not lead to their exclusion, dismissal or marginalisation.

The primary objective of the use of force is to keep all of us safe. Beyond this we need to ensure that we protect our buildings and the equipment in them as well as ensuring good order and discipline around the school.

The Senior Leadership Team (SLT) takes seriously its duty of care towards pupils, employees and visitors to the school. Staff protection is an important part of child protection; both depend on confident and competent staff who feel supported by the SLT and Governors.

Our first and paramount consideration is the safety and welfare of the children in our care. The second is the safety, welfare and protection of the adults who look after them.

All physical interventions at this school are conducted within a framework of positive behaviour management, and where possible using recognised Team Teach methods appropriate to our setting. The school behaviour policy is intended to allow pupils to reflect on their own actions, by holding up a mirror to their behaviour and encouraging restoration and improvement of their own behaviour in the short and longer term. Part of our preventative approach to risk reduction involves building positive relationships, looking for early warning signs, learning and communicating any factors which may influence inappropriate or unsafe behaviour and taking steps to divert behaviours leading towards foreseeable risk. Pupils are encouraged to participate in the development of their own Positive Handling Plans by focusing on positive alternatives and choices. Parents/carers are also encouraged to contribute. However, if difficulties arise, staff have a duty of care to support all pupils when they are under pressure and safely manage crises if, and when, they occur.

Alternatives to the Use of Force

Our training tells that up to 95% of positive behaviour management is implemented safely without the need for physical intervention. Staff are trained and supported in using alternatives to the use of force and may as part of their behaviour management consider some of the following options whilst remaining effective:

- Show care and concern by acknowledging unacceptable behaviour and requesting alternatives using negotiation and reason.
- Give clear directions for pupils to stop.
- Remind them about rules and likely outcomes.
- Remove an audience or take vulnerable pupils to a safer place.
- Make the environment safer by moving furniture and removing objects which could be used as weapons.
- Use positive touch to guide or escort pupils to somewhere less pressured.
- Ensure that colleagues know what is happening and get help.
- Provide pupils with choices or ways out with dignity.
- Acknowledge that the pupil feels challenged and let them know you are there to help
- Consider changing staff (see help protocol below) to help defuse a situation.

Modifications to Environment

Ideally, staff will not be waiting until a crisis is underway before conducting a risk assessment of the environment. We know that some pupils at this school may exhibit extreme and possibly dangerous behaviour. In general it is a good rule to keep the environment clutter free. This may mean giving consideration to secure storage for a range of everyday objects when they are not being used. For example:

- How is the availability of pointed implements (including pens, pencils, compasses and darts) controlled?
- What small items are available to an angry pupil who may be tempted to use them as missiles?
- What objects are available to be used as blunt instruments?
- Do they all need to be left out all the time?
- Are there sharp edges or corners which present a risk?
- Are the design arrangements or furniture safe and appropriate for pupils who exhibit extreme behaviour?
- Is there a comfortable place to sit with an agitated pupil?
- Are protocols in place to encourage angry pupils to take themselves to a safer place?

Help Protocols

The expectation at this school is that all staff should support one another. This means that in situations requiring the use of force, staff members always offer help and are trained in when to accept it. Help does not always mean taking over. It may mean just staying around in case you are needed, getting somebody else or looking after somebody else's group. Supporting a colleague does not only mean agreeing with their suggestions and offering sympathy when things go wrong. Real support sometimes means acting as a critical friend to help colleagues become aware of possible alternative strategies. Good communication is necessary so that colleagues avoid confusion when help is offered and accepted. They need to agree scripts so that all parties understand what sort of assistance is required and what is available.

- See appendix (1) for key help protocol phrases.

Well Chosen Words

A well-chosen word can sometimes avert an escalating crisis. When pupils are becoming angry there is no point in getting into an argument. Telling people to calm down can actually wind them up. Pointing out what they have done wrong can make things worse. The only purpose in communicating with an angry person is to prevent further escalation. It is better to say nothing and take time to choose your words carefully than to say the wrong thing and provoke a further escalation.

Use of Behaviour Management Policy

Many students will have individualised behaviour plans (Support and Intervention Plans) which will include strategies for coping with crises. Staff should make themselves aware of these and be prepared to help implement them.

Some students may benefit from being reminded how their behaviour could be affecting them and others around them so that they can begin to self-manage and de-escalate if possible.

Other Interventions

Other aspects of the organisation of the school also contribute to the safe management of behaviour:

- working tirelessly to create and maintain a calm environment that minimises the risk of incidents arising that might require using force
- using nurturing and socially/attachment aware approaches to teach pupils how to manage conflict and strong feelings
- de-escalating incidents if they do arise
- delivering a curriculum that addresses aspects of human behaviour (e.g. PSHE, SRE, enrichment/intervention curriculum)
- providing opportunities for students to benefit from key-worker sessions
- devising Support and Intervention plans
- individualising behaviour plans to help motivate students to succeed
- only using force when the risks involved in doing so are outweighed by the risks involved in not using force
- risk assessments and positive handling plans for individual pupils.
- residential visits/trips

Using force

Deciding whether to use force

Our in house training (Team Teach) and the use of school policy and government guidelines help staff decide whether or not to use force in particular circumstances. All staff have been trained on the aspects of dynamic risk assessment, allowing staff the chance to assess if the use force is applicable. For example (but not limited to) when;

- The potential consequences of not intervening were sufficiently serious to justify considering the use of force.
- The other options to attain a desired outcome are either not applicable or have been exhausted.
- The risks associated with not using force outweighed those of using force.
- The safety of a pupil, member of staff or member of the public is at risk.

Awareness of risk and additional information

Awareness of additional/elevated risk and changes in circumstance are communicated in a variety of ways, for example:

- Through the daily, morning briefings, teachers' and support staff meetings, staff (including people with temporary authorisation to have charge or control of pupils) will be kept informed about and advised how to deal with pupils who present particular risks to themselves or others (as a result of SEN and/or other personal circumstances, such as domestic violence);
- Each staff member has a duty to appraise themselves of potential risks presented by our students and of the strategies in place to minimise them. Staff should not wait to be told and it is not acceptable for a staff member to claim simply that they did not know about a particular risk when that information is made broadly available to all staff.
- The use of risk assessments for activities off site/transport allow for individual planning and the adaptation of risk assessments or individual learning plans.

Who can use force?

All members of school staff have a legal power to use reasonable force. This power applies to any member of staff at the school. It can also apply to people whom the Head Teacher has temporarily put in charge of pupils such as unpaid volunteers or parents accompanying students on a school organised visit. (Section 93, Education and Inspections Act 2006).

Unless there is no other way, staff should not use force unless or until another responsible adult is present to support, observe and/or call for assistance.

When to use Force

The Use of Reasonable Force Guidance 2013 states “Reasonable force can be used to prevent pupils from hurting themselves or others, from damaging property or from causing disorder. The decision on whether or not to physically intervene is down to the professional judgement of the staff member concerned and should always depend on the individual circumstances”. It goes on to give examples of when it may be legitimate to use force: “The following list is not exhaustive but provides some examples of situations where reasonable force can and cannot be used”.

- Prevent a pupil from attacking a member of staff or another pupil, or to stop a fight
- Restrain a pupil at risk of harming themselves through physical outbursts.
- To prevent pupils from hurting themselves or others, from damaging property, or from causing disorder.
- Remove disruptive children from the classroom where they have refused to follow an instruction to do so
- Prevent a pupil behaving in a way that disrupts a school event or a school trip or visit
- Prevent a pupil leaving the classroom where allowing the pupil to leave would risk their safety or lead to behaviour that disrupts the behaviour of others

In the 2018 report *Positive Environments Where Children can Flourish* (2018) Ofsted states that “Restraint is permissible. There will be times when staff feel that they need to intervene physically to keep children safe (or to keep staff safe)” and that “We cannot have a ‘zero tolerance’ approach. Restraint is permissible. Our starting point should always be the rights, needs and safety of the child (and other children and adults present). The practice needs to be understood in this context. Nothing should prevent providers from taking the steps they may need to keep children safe. Providers should feel enabled and confident to take appropriate steps to keep children’s safe.

Each decision to use force should be judged on the criteria outlined in the sections “Reasonable Proportionate and Necessary” and “Risk Assessment” below.

Students, wherever possible and providing it is unlikely to further escalate a situation or endanger others, should always be given a clear oral warning that force may have to be used and, thereby, provided with the opportunity to self-regulate and manage their behaviour.

The Last Resort Principle

At the Gateway School we only use physical intervention when there is no realistic alternative. This does not mean that we always expect people to methodically work their way through a series of failing strategies before attempting an intervention in which they have some confidence. Nor does it mean always waiting until the danger is imminent, by which time the prospect of safely managing it may be significantly reduced.

It does mean that we expect staff to *conduct a dynamic risk assessment* and choose the safest course of action which achieves the objective of keeping us all safe. It also means that we expect staff to think creatively about any alternatives to physical intervention which may be effective.

Proactive Physical Interventions

It is sometimes reasonable to use physical controls to prevent extreme behaviour from becoming dangerous and this may form part of a Positive Handling Plan. Examples of this are where a pupil has shown ritual patterns of behaviour, which in the past have led to the child becoming more distressed and violent. It could be that one student is teasing another and it is possible a fight could start. In such circumstances it may be reasonable to withdraw either child to a safer place when the pattern of behaviour begins, rather than wait until the child is distressed and out of control. The paramount consideration is that the action is taken on the basis of a risk assessment, is clearly in the interest of the pupil(s) concerned and that it reduces, rather than increases, risk.

Reasonable, Proportionate and Necessary

Any response to extreme behaviour should be reasonable, proportionate and necessary. People should not react in anger. If they feel they are becoming angry they should consider withdrawing to allow someone else to deal with the situation. Where staff act in good faith and their actions are reasonable, proportionate and necessary, they will be supported.

When physical controls are considered staff should think about the answers to the following questions:

- What are the risks?
- How are my actions in the best interest of the pupil?
- Why is a less intrusive intervention not preferable?
- Why do we have to act now?
- Why am I the best person to be doing this?
- Why is this absolutely necessary?

If staff can answer these questions clearly, it is more likely that a physical intervention will be judged to be reasonable, proportionate and necessary.

Unreasonable use of Force

The use of force as a punishment is never permissible. Neither is it reasonable to use force simply to enforce compliance in circumstances where there is no risk. Nor is it reasonable to use any more force than is necessary to achieve a reduction in risk. Under no circumstances should pain be deliberately inflicted or should pupils be deliberately subjected to undignified or humiliating treatment (this should not be confused with the unavoidable discomfort associated with some approved techniques for disengaging from assaults such as bites and grabs).

Other than as a one-off emergency measure to protect health and safety, force should never be used to keep a pupil secluded. Seclusion is only lawful by specific court order and cannot become part of a planned strategy at this school.

Team Teach

It is the policy of TGS that all staff working with pupils are trained in the de-escalation behavioural management and responsive positive handling strategies and techniques of Team Teach, to complement the behaviour management approaches and strategies reflected in the School Behaviour Policy. Further details of this approach can be found on the Team Teach website (www.teamteach.co.uk). The following are excerpts from the home page:

Team Teach is an accredited, award-winning provider of positive behaviour management and training, equipping individuals and teams in a variety of settings to deal with challenging situations and behaviours in ways that lead to desirable outcomes and positive relationships at work or in daily life.

All our training is built on a foundation of respect, both for the responsibility of those we instruct and for the dignity of the children and adults who are the real beneficiaries of our training. We aim to foster cultures of support, helping people recognise the needs of those they work with, offer help where necessary, and be able to make use of support when offered.

The positive behaviour management strategies that Team Teach develops and promotes emphasise team building, personal safety, communication, and verbal and non-verbal de-escalation techniques for dealing with challenging behaviour which reduce the need for physical intervention. As a last resort, we also teach positive handling techniques to resolve conflicts in ways that are safe, and which provide opportunities for repair and reflection for everyone involved.

We enable services to develop acceptable and authorised responses to disruptive, disturbing, angry and aggressive behaviours in a manner that maintains positive relationships and provides safety for all, helping reduce the number of serious incidents involving physical controls, and raising the awareness of the importance of recording, reporting, monitoring and evaluating all incidents involving positive handling.

We see positive handling as just one part of a whole-setting approach to behaviour management. As such, our framework is entirely compatible with Positive Behavioural Support (PBS) approaches for people with learning disabilities.

Access to Team Teach accreditation and training allows us to train our staff in behavioural management techniques as well as a gradual and graded approach to physical intervention, providing positive handling techniques on all aspects of restrictive physical intervention

appropriate to the individual setting. It is therefore expected that staff will use only the strategies that they have been taught to use as these have been field tested and medically assessed as safe.

Although there is no legal reason preventing staff using alternative strategies, (indeed the law entitles us to use reasonable force to defend ourselves), staff should be absolutely clear in their justification for deviating from that which they have been taught. In undertaking the risk assessments referred to throughout this policy, staff members have an advantage in knowing that the taught techniques have been consistently risk assessed by thousands of practitioners in a range of settings.

In any case, any form of physical intervention that is likely to injure a pupil should only be used in extreme emergencies and where there was no viable alternative. Every care should be made to ensure that positional asphyxia is avoided (training is provided to help recognise the signs of and prevent positional asphyxia), to aid in this assessment all staff undertake first aid at work training.

Health and Safety

If dangerous behaviour presents a significant risk of injury to people, there is a legal Health and Safety issue to be addressed. Dangerous behaviour should be regarded just as seriously as dangerous equipment. Dangerous occurrences should be reported to the person responsible for Health and Safety in the school (currently the school Head). We all have shared responsibility to identify risk, communicate potential risks and take active steps to reduce risk wherever possible, whilst recognising that it is not possible to entirely remove risk. Sometimes things go wrong even when we make our best efforts to do the right thing. Sometimes we are faced with unpalatable choices. In these circumstances we have to risk assess the situation, try to think through the outcomes of the options available, balance the risks and choose whichever course of action seems to involve the least risk without compromising safety.

As a minimum requirement, in order to comply with health and safety legislation, each employee has a legal responsibility to ensure that they are conversant with school and policy and guidance and to cooperate to make the school safer. It is also a requirement that they participate in training if they are directed to do so. This does not necessarily mean that all staff can be involved in all the physical activities. The non-physical aspects of positive handling training are crucially important too.

Risk Assessment

Informal risk assessments should be a routine part of life for staff working with students who may exhibit extreme behaviour. All staff should think ahead to anticipate what potential dangers and pitfalls there could be. If a proposed activity or course of action involves unacceptable risk the correct decision is to do something different.

All decisions regarding whether or not to physically intervene and how to do so, should be based on an individual's risk assessment of the situation before them and the criteria describing when to use force as laid down in the Use of Reasonable Force Guidance (DfE, 2013).

Other factors which might influence a risk assessment, and therefore a decision about how to intervene, might include the state of health and fitness of the staff member, their physical stature, competence, confidence and relationships with the pupils concerned.

Other than in an emergency, staff should only attempt physical controls when they are confident that such action will result in a reduction of risk. When faced by extreme behaviour, or even in a fight situation, the judgement may be that by becoming involved, the member of staff will increase the chance of somebody getting hurt. In this the correct decision is to hold back from physical intervention, send for help and continue to give the instruction to stop.

Getting Help/Staff support structure

At this school the following support structures are in place:

- Send a reliable student for help and tell them to use the word “Urgent”. Any staff member hearing the use of this word should make it their priority to assist, having ensured that by leaving their own groups they are not increasing risk.
- Support and Intervention plans kept on file/the network to ensure all relevant information about each pupil is available to all members of staff working with them.
- Daily briefing sessions in the morning to update staff on current issues and share information.
- Use of help protocols and language to remind all staff of availability of colleagues to offer help including change-overs of staff during a crisis situation with a pupil.
- Debrief sessions after a crisis with the pupil(s) involved, reflecting on how crisis was managed by all involved and identifying any points for review or learning.
- Annual refresher training in Team Teach strategies and techniques for all staff, and continuous review by SLT/ in house Advanced Team Teach trainer to inform these.
- Staff access to advice regarding mental health and educational psychology.

Recording incidents

Every incident in which restrictive physical force has been used should be recorded on the numbered report forms available from the office. The form should be completed by the lead member of staff in the incident in question and signed by all those who assisted or witnessed the incident.

Incidents involving very low level guides, e.g. the use of a “Caring C” (see www.teamteach.co.uk) to re-direct a student, need not be recorded. However, if there is any doubt about whether an incident should be recorded or not, the decision should be to record it. Further guidance can be sought from members of SLT and the TT instructors in the school.

Where possible the forms should be completed on the same day as the incident it records and handed to a member of SLT so that they can check it over at the same time as being appraised of the incident.

Reporting incidents

Whilst there is no longer a requirement to inform parents/carers when force has been used with their children, it is good practice and therefore the practice at TGS that all recordable incidents are reported to parents/carers **before the student arrives home**. It is the responsibility of the person completing the form to ensure that this happens. It need not be that person who makes the call but they must ensure that somebody does.

The purpose of the call is to give the parent/carer a clear account of the incident and to report if the student got marked or hurt as a result of the incident. Doing this *before* the student gets home helps prepare the parent/carer to have a conversation with their child based on fact and helps reduce the potential for parents/carers to be unnecessarily upset by a version of the incident which minimises the student's role in the incident while exaggerating that of the adults.

The only time when a call should not be made to a parent/carer is if a staff member believes or has been informed that such a call is likely to result in potential or actual significant harm to the pupil, or the escalation of a safeguarding issue. In all such cases guidance should be sought from the safeguarding lead or Head of School.

Post-incident support

All incidents involving the use of force require there to be a recovery period for all concerned immediately following the incident. Following recovery, this could be as little as a few moments for some but longer for others, there should be a review of the incident with the student concerned. This review should look at how the incident developed, at which points could the situation have been changed, how and by whom. It should conclude with what has been learned by all concerned and how we can all move forward having rebuilt relationships.

It is important too for staff members to have this opportunity to reflect and repair following a serious incident. The logistics of this in a busy day school setting often mean that this is difficult to implement as staff often need to return to their classes etc.

However, where a staff member feels unable to return to their duties following a serious incident, they should make this clear to a member of SLT who will consider how this can be arranged. Equally, staff should feel free to use time after school to sit with relevant colleagues to talk an incident through. Any staff member approached about facilitating this should try to make it a priority.

Complaints and allegations

Complaints made by students and/or parents/carers will always be thoroughly investigated. The Reasonable Use of Force Guidance 2013 references that the member of staff about whom an allegation has been made need not automatically be suspension from their duties. Any such decision will be made by the Head of school after thorough consideration of what would be in the best interests of all concerned. The guidance also makes clear that it is for the individual making the allegation to establish their case, not for the staff member to disprove the allegation. That having been said, it is anticipated that a thorough investigation will establish the validity of the complaint.

Monitoring and review

Team Teach adhere to guidelines laid down by the Institute of Conflict Management (ICM). All Team Teach positive handling techniques have undergone a medical review carried out by independent medical experts, as required by ICM.

The Head of school is responsible for monitoring the use of RPI's within the school. Monthly reports are provided by the office, the Head of school and the Advanced Team Teach tutor meet on a regular basis to discuss and monitor which children and staff have been involved, trends in numbers of RPI's, the frequency of such involvement, trends and injuries, and what measures can be taken to actively reduce the number of physical interventions.

Where there is evidence, for example, that a particular member of staff appears to be involved in a disproportionate number of incidents, this will be reviewed to find a cause (i.e. location of the member of staff at certain times) and where possible changes to reduce impact can be made. All incidents which result in injuries to staff or students will be reviewed and appropriate support and training will be provided by the Lead TT Instructor and the SLT.

Appendix: (1) Page 3. The Help script.

The Help script mentioned forms part of our school Team Teach training. Key phrases are “Help is available” prompting a member of staff to issue instructions or ask for assistance if required. “More help is available” letting members of staff know that they can ask for a change of face/location and prompting the response “what would you suggest” allowing a fresh perspective and the option of other instructions including a change of role for those involved in an RPI. The final key phrase is used with students and staff alike, “can you get sir/miss and tell them it’s urgent” letting staff know there is a situation that requires immediate assistance and if it is safe to do so attend as quickly as possible.

A list of guidance, advice and acts that were used in the formulation and are outlined below. Digital and hard copies of listed guidance and acts are kept on site and are available on request.

- Use of Reasonable Force (DfE, 2013)
- Reducing the Need for Restraint and Restrictive Intervention (HM Gov’ 2019)
- Social Responsibility and Heroism Act (Houses of Parliament, 2015)
- ADCS guidance (Association of Directors of Children’s Services, Health Care and Additional Needs Policy Committee Task Group, 2009)
- Developing Support and Service for Children and Young People with a Learning Disability, Autism or Both (NHS England, 2017)
- Keeping Children Safe in Education (DfE 2018)
- www.teamteach.co.uk (2019 revision)
- Education and Inspectors act 2006
- Positive environments where children can flourish (Ofsted 2018)

Gateway school Physical Intervention 2019 amendments

Constant amendments throughout the new document are as follows:

- The wording “behavioural difficulties” will be changed to SEMH needs in line with the classification of our school.
- All references to the HM Government document “Reducing the Need for Restraint and Restrictive Intervention” will be referring to the updated version published 27/06/2019.
- All updates from Team Teach are in line with their 2019 update and in turn their regulation by the ICM (Institute of Conflict Management)

THE FOLLOWING ACTS, GUIDANCE AND REGULATIONS HAVE BEEN USED FOR REFERENCE:

- Use of Reasonable Force (DfE, 2013)
- Reducing the Need for Restraint and Restrictive Intervention (HM Gov’ 2019)
- Social Responsibility and Heroism Act (Houses of Parliament, 2015)
- ADCS guidance (Association of Directors of Children’s Services, Health Care and Additional Needs Policy Committee Task Group, 2009)
- Developing Support and Service for Children and Young People with a Learning Disability, Autism or Both (NHS England, 2017)
- Keeping children safe in education (DfE 2018)
- Positive Environments Where Children Can Flourish (Ofsted 2018)
- Education and Inspectors act (2006)
- www.teamteach.co.uk

The following sections have seen the largest changes/additions.

- Introduction: Page 2
- Objectives: Page 3
- Deciding whether to use force: Page 5
- Awareness of risk and additional information: Page 5
- When to use force: Page 6
- Team Teach: Page 8
- Appendix/reference list: Page 13